



11.28.03 98.1754

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Washington, D.C., United States of America

In re Application of HU, X.D.; et al.

Serial No.: 09/851,177

Filed: 05/08/2001

For: HIGH SURFACE AREA, SMALL
CRYSTALLITE SIZE CATALYST FOR
FISCHER-TROPSCH SYNTHESIS

RECEIVED
EPC 09 2003
TC 1700

Mail Stop Non-Fee
Director of Technology Center Art Unit 1754
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 (b)

Dear Sir:

We kindly request the United States Patent Office to consider the enclosed response to the 3/26/03 office action timely filed as it was faxed on September 24, 2003 and can be evidenced by the Auto-Reply Facsimile Transmission report.

In accordance with 37 CFR 1.8 (b), we are promptly informing the Office we previously transmitted by fax a response to the office action with mailing date of 03/26/03. I hereby state the response was sent by fax on 9/24/03 by Donna Ferrill.

We have included an additional copy of the response as well as the copy of the sending unit's report confirming transmission.

Respectfully submitted,

Joan Simunic, Reg. No. 43,125
Süd-Chemie Inc.

1600 West Hill Street
Louisville, Kentucky 40210
(502) 634-7373
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Date: December 1, 2003

Encl: Copy of previously transmitted response to office action; copy of confirmation of receipt
from the USPTO



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOV 26 2003
PATENT & TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,177	05/08/2001	X.D. Hu	ZL494/01001	2722

22884 7590 11/18/2003
MIDDLETON & REUTLINGER
2500 BROWN & WILLIAMSON TOWER
LOUISVILLE, KY 40202

EXAMINER

NGUYEN, CAM N

ART UNIT	PAPER NUMBER
1754	

DATE MAILED: 11/18/2003

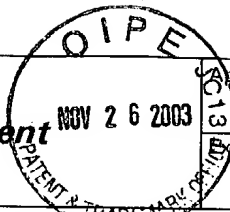
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Please find below and/or attached an Office communication concerning this application or proceeding.

- Notice of Abandonment -

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DEC 09 2003
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Notice of AbandonmentApplication No.
09/851,177

Applicant(s)

Hu et al.

Examiner

Cam Nguyen

Art Unit

1754



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Mar 26, 2003.
- (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.
- (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
- (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
- (b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.
- The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
- (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
- (a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Cam Nguyen
11/17/03

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.